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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/823,818	04/14/2004	Akihiro Yamada	SONYJP 3 . 0-367	5630
530 7590 06/08/2007 LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK 600 SOUTH AVENUE WEST WESTFIELD, NJ 07090			EXAMINER YENKE, BRIAN P	
			ART UNIT 2622	PAPER NUMBER
			MAIL DATE 06/08/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/823,818

Applicant(s)

YAMADA, AKIHIRO

Examiner

BRIAN P. YENKE

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 March 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>18 Dec 06</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2 The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sun, US 20040160532 in view of Taniguchi, US 6,834,155.

In considering claims 1 and 15,

a) the claimed a display unit...is met by display 218 (Fig 2)

b) the claimed a storage unit...is met by memory 306 which may be removeable (para 26-27).

The temporary store is met where the storage may store the data as short/long based upon user's desires/systems needs, thus anticipating the limitation.

c) the claimed a read/write unit...is met where the removable storage medium can be used to import frame into FMU 212 (para 26), wherein the removeable memory and FMU are external to each other.

d) the claimed a display control unit...is met by CPU 222 (Fig 2).

However, Sun does not explicitly recite transferring all video data temporarily stored...and the storage unit stops updating until all the video data has been transferred.

It is noted that Sun does disclose the a system which allows a user to play frames/scenes and also stop at the desired scene (i.e. intended Pause).

Although it is conventional in the art based upon the size/type of memory/storage being utilized in determining whether the memory can read/write simultaneously or read and write separately, the examiner nonetheless incorporates Taniguchi.

Taniguchi discloses is a system which allows a user to execute an automatic pause at a correct frame. Taniguchi discloses (col 6, line 55 to col 7, line 15; col 10, line 14-30) a system which reads (via reading section 2) data from a recorded medium 1 wherein a temporary storage (buffer 3) stores the information prior to the regeneration section (i.e. when a Pause occurs) stops reading data, thus the reading section will stop updating any data into buffer 3 until the system has resumed (no Pause, i.e. meeting until all video data has been transferred for the Pause).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify/recognize in Sun which discloses a system which allows a user to view/stops selected frames/scene by allowing the system based upon the memory size to only update the temporary storage (i.e. buffer) when the information that is read from is has been completed transferred, which also minimizes and reading/writing underflow conditions and ensures the appropriate frame(s) has/have been transferred.

In considering claim 2,

Sun does not explicitly disclose a storage medium that may be rewritten with data a fewer number of times than the storage unit---however this is conventional copyright techniques, thus the examiner takes "OFFICIAL NOTICE" as stated in claim 10 below.

In considering claim 3,

Sun discloses that one of the two memories may be detachable and thus the implementation of detaching the other memory is obviously an option available to a system/designer based of course on the

type of apparatus/size/memory portability requirements, thus the examiner takes "OFFICIAL NOTICE" regarding as such.

In considering claim 4,

Sun does not disclose the concept of "free storage capacity" but obviously when writing/reading data from a memory especially in the video endeavor adequate storage space for such reservation recording/viewing is conventional practice in the art to provide the user the ability/notice of such space, thus the examiner takes "OFFICIAL NOTICE" regarding such.

In considering claims 5-7 and 16,

Sun discloses that the storage/memory unit compresses the information prior to storage (Fig 3) wherein the user may display a selected frame at a time.

In considering claims 12 and 19,

Sun discloses that the FMU unit 212 which is able to write-protect, write-enable, or erase in response to storage control signals via remote control signals (para 37).

In considering claims 13-14 and 20,

Sun discloses a system which allows a user to view programs in original non-redisplay mode and also in re-display mode based upon users desires/selection in redisplaying a scenes/frames.

In considering claims 8-9,

Sun does not explicitly recite the prohibit limitation in reading/writing data to a memory. However, since Sun discloses the concept of allowing a user to store data for redisplay, the concept of allowing a memory to store what the user desires as opposed to storing data not desired for redisplay would be an obvious implementation, and since these are conventional techniques in capturing/reading/writing video data for later display the examiner takes "OFFICIAL NOTICE" regarding such.

In considering claims 10-11 and 17-18,

Sun does not explicitly recite a communication method based on a prescribed copyright protection technique, however these are conventional techniques which may be practiced in a system in order to maintain the integrity/security of such data, thus the examiner takes "OFFICIAL NOTICE" regarding as such.

Conclusion

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure—see newly cited references on attached form PTO-892.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Yenke whose telephone number is (571)272-7359. The examiner work schedule is Monday-Thursday, 0730-1830 hrs.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, David L. Ometz, can be reached at (571)272-7593.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(571)-273-8300

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is

(703)305-HELP.

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(FAX) 703-305-7786

(TDD) 703-305-7785

An automated message system is available 7 days a week, 24 hours a day providing informational responses to frequently asked questions and the ability to order certain documents. Customer service representatives are available to answer questions, send materials or connect customers with other offices of the USPTO from 8:30 a.m. - 8:00p.m. EST/EDT, Monday-Friday excluding federal holidays.

For other technical patent information needs, the Patent Assistance Center can be reached through customer service representatives at the above numbers, Monday through Friday (except federal holidays) from 8:30 a.m. to 5:00 p.m. EST/EDT.

The Patent Electronic Business Center (EBC) allows USPTO customers to retrieve data, check the status of pending actions, and submit information and applications. The tools currently available in the Patent EBC are Patent Application Information Retrieval (PAIR) and the Electronic Filing System (EFS). PAIR (<http://pair.uspto.gov>) provides customers direct secure access to their own patent application status information, as well as to general patent information publicly available. EFS allows customers to electronically file patent application documents securely via the Internet. EFS is a system for submitting new utility patent applications and pre-grant publication submissions in electronic publication-ready form. EFS includes software to help customers prepare submissions in extensible Markup Language (XML) format and to assemble the various parts of the application as an electronic submission package. EFS also allows the submission of Computer Readable Format (CRF) sequence listings for pending biotechnology patent applications, which were filed in paper form.

Art Unit: 2622



B.P.Y
30 May 2007



BRIAN P. YENKE
PRIMARY EXAMINER